
Exhibit “K”

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 RICHMOND DIVISION

4 -----x

5 MICHAEL T. DREHER, Individually and on
6 behalf of a class of similarly situated
7 persons,

8 Plaintiffs,

9 -against-

10 EXPERIAN INFORMATION SOLUTIONS, INC.,
11 CARDWORKS, INC., and CARDWORKS SERVICING,
12 LLC,

13 Defendants. VOL. II

14 Civil Action No. 3:11cv00624(JAG)

15 -----x

16 135 Crossways Park Drive
17 Woodbury, New York

18 July 26, 2012
12:17 p.m.

19 Continued Videotaped Deposition
20 of MARIA COSTA, taken pursuant to the
21 Federal Rules of Civil Procedure, and

14 A. I do not, sir.

15 Q. And what informs your belief that
16 CardWorks would have that information?

17 A. Repeat that, sir.

18 Q. Why do you think CardWorks would
19 have the information related to timely
20 payments on accounts?

21 A. The payment goes to the
22 processing payment center and is posted to
23 the account.

24 Q. And is the payments processing
25 center, is that a CardWorks division or some

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1 other company?

2 A. To my knowledge, it's another
3 company.

4 Q. What is the name, if you know, of
5 that other company where the payments go for
6 processing?

7 A. I do not.

8 Q. Is there anyone within CardWorks
9 you think may have such information?

10 A. It is possible. I do not know
11 who the individual would be.

12 Q. Do you think Brian Bennett would
13 have that information?

14 A. It's possible.

15 Q. In the event a consumer's payment
16 was -- you know, was not on time or his
17 account was paid in full, where would
18 CardWorks get information, current
19 information regarding the consumer's
20 account?

21 A. Can you rephrase that? I don't
22 understand.

23 Q. Updates regarding a consumer's
24 accounts, where does CardWorks get that
25 information?

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1 A. From our FDR file.

2 Q. I'm sorry, I didn't hear you.

3 A. The FDR file that we have access
4 to.

5 MR. LYNCH: I'm sorry, this is
6 John, I couldn't hear that answer.

7 A. When a payment or -- when a
8 payment is received at this payment center
9 and it posts to the account, okay, we see
10 that if the consumer calls card service and
11 says, I sent you a payment on such and such
12 a date, can you let me know it posted to the
13 account, and then we see the amount of the
14 payment and the date that posted to the
15 account.

16 At month's end, there's a file
17 that is sent to the three bureaus showing
18 that a payment was received on the
19 consumer's account.

20 Q. So just to make sure I understand
21 it then, so the consumer sends a payment to
22 a processing center, correct?

23 A. Yes.

24 Q. That processing center, to your

25 knowledge, is not a part of CardWorks?

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1 A. Correct.

2 Q. All right.

3 And that processing center, I
4 gather, posts the payment to the FDR file?

5 A. Yes. The consumer account --
6 excuse me, the consumer account.

7 Q. Yes, for that consumer's
8 account --

9 A. Yes.

10 Q. -- correct?

11 A. Correct.

12 Q. And in the event CardWorks gets a
13 call from the consumer regarding his or her
14 payment, you would consult the FDR file?

15 A. Yes.

16 Q. Is it also correct that the
17 information sent to the three bureaus comes
18 from the FDR file?

19 A. That is correct, sir.

20 Q. Now, we've been speaking with
21 regard to timely payments. Would that
22 process be different in the event a consumer
23 failed to make a payment in a given month or
24 when due?

25 A. Then our file would show that the

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1 customer or the consumer would be either --
2 would be 60 days or 30 days, 90 days late,
3 depending, you know, how long it would take
4 the consumer to send in a payment.

5 Q. Who would update your file to
6 indicate that the consumer was late?

7 A. I don't know. I don't know.

8 Q. Is there anyone at CardWorks you
9 think may have such information?

10 A. It is possible. I don't know who
11 that individual would be.

12 Q. All right.

13 Same questions with regard to a
14 charge-off.

15 Do you know who within CardWorks,
16 if anyone, would be responsible for
17 designating an Advanta account as a
18 charge-off?

19 A. That would be in our collections
20 department.

21 Q. All right.

22 I'm sorry if you mentioned this
23 yesterday, but who's the director or head of
24 the collections department?

25 A. I believe the gentleman's name is

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1 Mike Kadmar. I am not a 100 percent sure of
2 that.

3 Q. And how would you spell Mike's
4 last name?

5 A. K, as in kite, A as in apple, D
6 as in David, M as in Mary, A as in apple, R